THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.6385 of 2005

ORDER:

It appears, the petitioner as well as third respondent applied for fair price shop dealership in pursuance to a notification issued by the second respondent-Revenue Divisional Officer. After following the due procedure, the second respondent appointed the third respondent as fair price shop dealer of M.Kothagudem village by order dated 5.10.2004. Aggrieved by the same, petitioner carried the matter in appeal before the Joint Collector, Nalgonda. The Joint Collector allowed the said appeal on the ground that the wife of the third respondent was working as Anganwadi Teacher. The Joint Collector further observed that once the minimum general educational qualifications required for appointment as FPS dealer is possessed by both the parties, they should be treated equally and treating the third respondent as meritorious does not arise. Aggrieved by the same, the third respondent filed revision before the first respondent-District Collector. The first respondent after elaborate consideration of the matter, has come to the conclusion that working as Anganwadi Teacher by the third respondent's wife is not a ground for disqualification for appointment as FPS dealer and the petitioner who completed only B.Com 2nd year, has wrongly stated before the Joint Collector that he has completed B.Com. In fact, preference should be given to the persons who participated in the Governmental schemes. The second respondent has not committed any error in appointing the third respondent. Therefore, allowed the revision and directed the second respondent to take necessary action. Aggrieved by the same, the present writ petition is filed.

Having regard to the facts and circumstances of the case, I am of

the opinion that the order passed by the first respondent does not call for any interference by this Court under Article 226 of the Constitution of India. The first respondent has rightly pointed out that the third respondent's wife being an Anganwadi worker, does not come in the way of appointment of third respondent as fair price shop dealer. Therefore, the writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU, J

Date: 31.8.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

31.8.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.6385 of 2005

Dated: 31st August, 2006

Between:

B.Uppalaiah @ Upender Reddy

.. Petitioner

and

The District Collector,
Nalgonda & others.

.. Respondents